

**U.S. District Court  
District of Hawaii (Hawaii)  
CIVIL DOCKET FOR CASE #: 1:19-cv-00183-ACK-WRP**

Teter et al v. Connors et al  
Assigned to: JUDGE ALAN C. KAY  
Referred to: MAGISTRATE JUDGE WES REBER PORTER  
Demand: \$0  
Case in other court: Ninth Circuit, 20-15948  
Cause: 42:1983 Civil Rights Act

Date Filed: 04/10/2019  
Date Terminated: 05/13/2020  
Jury Demand: None  
Nature of Suit: 440 Civil Rights: Other  
Jurisdiction: Federal Question

**Plaintiff****Andrew Teter**represented by **Alan A. Beck**

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**Plaintiff****James Grell**represented by **Alan A. Beck**

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**Stephen D. Stamboulieh**

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V.

**Defendant**

**Clare E. Connors**

*in her Official Capacity as the  
Attorney General of the State of  
Hawaii*

represented by **Ryan M. Akamine**

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**Defendant****Al Cummings**

*in his Official Capacity as the State  
Sheriff Division Administrator*

represented by **Ryan M. Akamine**

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## Case 1:19-cv-00183-ACK-WRP Document 67-3 Filed 05/19/20 Page 3 of 10 PageID.675

Date Filed	#	Docket Text
04/10/2019	<a href="#"><u>1</u></a>	COMPLAINT <i>for Declaratory and Injunctive Relief</i> against All Plaintiffs Clare E. Connors, Al Cummings ( Filing fee \$ 400 receipt number 0975-2184494.), filed by andrew teter. (Attachments: # <a href="#"><u>1</u></a> Declaration of Andrew Teter , # <a href="#"><u>2</u></a> Declaration James Grell , # <a href="#"><u>3</u></a> Declaration of Burton Richardson , # <a href="#"><u>4</u></a> Errata Exhibit , # <a href="#"><u>5</u></a> Exhibit, # <a href="#"><u>6</u></a> Exhibit, # <a href="#"><u>7</u></a> Exhibit, # <a href="#"><u>8</u></a> Civil Cover Sheet)(Beck, Alan) Modified on 4/10/2019 (emt, ). (Entered: 04/10/2019)
04/10/2019	<a href="#"><u>2</u></a>	Summons (Proposed) (Beck, Alan) (Entered: 04/10/2019)
04/10/2019	<a href="#"><u>3</u></a>	Summons (Proposed) (Beck, Alan) (Entered: 04/10/2019)
04/10/2019	4	NOTICE of Case Assignment: <a href="#">Please reflect Civil case number CV 19-00183 ACK-RLP on all further pleadings.</a> (emt, ) (Entered: 04/10/2019)
04/10/2019		<b>ADVISORY ENTRY.</b> The entry docket number <a href="#"><u>1</u></a> Complaint filed by Andrew Teter was filed incorrectly in this case. The filing party may refer to LR10.2(b), which states "The name, Hawaii bar identification number, address, telephone number, facsimile number, and e-mail address of counsel (or, if <i>pro se</i> , of the party), and the specific identification of each party represented by name and interest in the litigation (e.g., plaintiff, defendant, etc.) shall appear in the upper left-hand corner of the first page of each paper presented for filing...". Additionally, the filing party is advised that the document caption does not reference the declarations and exhibits submitted in support of the complaint. The filer may also refer to LR10.2(c) Caption, Case Numbers, and Title. (emt, ) (Entered: 04/10/2019)
04/10/2019	<a href="#"><u>5</u></a>	Summons Issued as to Clare E. Connors. (emt, ) (Entered: 04/10/2019)
04/10/2019	<a href="#"><u>6</u></a>	Summons Issued as to Al Cummings. (emt, ) (Entered: 04/10/2019)
04/10/2019	<a href="#"><u>7</u></a>	Order Setting Rule 16 Scheduling Conference is set for 09:00AM on 6/5/2019 before MAGISTRATE JUDGE RICHARD L. PUGLISI - Signed by CHIEF JUDGE J. MICHAEL SEABRIGHT on 4/10/2019. (Attachments: # <a href="#"><u>1</u></a> Memo from Clerk Re: Corporate Disclosure Statements) <hr/> <b>ATTACH THE SCHEDULING ORDER TO THE INITIATING DOCUMENT (COMPLAINT/NOTICE OF REMOVAL). THE SCHEDULING ORDER AND MEMO RE: CORPORATE DISCLOSURES MUST BE SERVED WITH THE DOCUMENT.</b> (emt, ) (Entered: 04/10/2019)
04/10/2019	<a href="#"><u>8</u></a>	CIVIL Waiver of Service Packet ~ Notice to Parties Regarding Service Pursuant to Rule 4 of the Federal Rules of Civil Procedure. (Attachments: # <a href="#"><u>1</u></a> AO 398 Notice of Lawsuit and Request to Waive Service of Summons, # <a href="#"><u>2</u></a> AO 399 Waiver of Service of Summons) (emt, ) (Entered: 04/10/2019)
04/15/2019	<a href="#"><u>9</u></a>	MOTION for Pro Hac Vice Filing fee \$ 300, receipt number 0975-2186179.Alan A. Beck appearing for Plaintiffs James Grell, Andrew Teter (Attachments: # <a href="#"><u>1</u></a> Exhibit) (Beck, Alan) (Entered: 04/15/2019)

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04/15/2019	<a href="#">10</a>	First MOTION to Amend/Correct <a href="#">9</a> MOTION for Pro Hac Vice Filing fee \$ 300, receipt number 0975-2186179. Alan A. Beck appearing for Plaintiffs James Grell, Andrew Teter (Attachments: # <a href="#">1</a> Exhibit)(Beck, Alan) (Entered: 04/15/2019)
04/15/2019	<a href="#">11</a>	ORDER GRANTING THE AMENDED APPLICATION OF STEPHEN D. STAMBOULIEH TO APPEAR PRO HACE VICE <i>re</i> : <a href="#">10</a> - Signed by MAGISTRATE JUDGE RICHARD L. PUGLISI on 4/15/2019. STEPHEN D. STAMBOULIEH, ESQ. (Law Firm: Stamboulieh Law, PLLC) added as attorney <i>Pro Hac Vice</i> for Plaintiffs Andrew Teter and James Grell. (jo) (Entered: 04/15/2019)
04/22/2019	<a href="#">12</a>	SUMMONS Returned Executed by Andrew Teter, James Grell. All Defendants <a href="#">served on 4/15/2019</a> . (Attachments: # <a href="#">1</a> Exhibit Proof of Service on Connors)(Stamboulieh, Stephen) Docket Text Modified on 4/22/2019 (jo) (Entered: 04/22/2019)
05/08/2019	<a href="#">15</a>	ORDER REASSIGNING CASE. Case reassigned to MAGISTRATE JUDGE WES REBER PORTER for all further proceedings. MAGISTRATE JUDGE RICHARD L. PUGLISI no longer assigned to case. <a href="#">Please reflect new case number CV 19-00183ACK-WRP on all further pleadings, effective 05/13/2019</a> . Signed by CHIEF JUDGE J. MICHAEL SEABRIGHT on 05/08/19. (apg, ) (Entered: 05/13/2019)
05/13/2019	<a href="#">13</a>	REPORT of Planning Meeting . (Attachments: # <a href="#">1</a> Certificate of Service)(Stamboulieh, Stephen) (Entered: 05/13/2019)
05/13/2019	<a href="#">14</a>	Scheduling Conference Statement . (Attachments: # <a href="#">1</a> Certificate of Service) (Stamboulieh, Stephen) (Entered: 05/13/2019)
05/13/2019	16	EO: Due to a scheduling conflict, the Rule 16 Scheduling Conference set for 6/5/2019 is CONTINUED to 6/14/2019 at 9:30 a.m. in the Chambers of Magistrate Judge Wes Reber Porter. Plaintiffs shall notify Defendants. (MAGISTRATE JUDGE WES REBER PORTER)(agh) (Entered: 05/13/2019)
05/28/2019	<a href="#">17</a>	<i>Defendants Clare E. Connors and Al Cummings', In Their Official Capacities</i> , ANSWER to Complaint <i>For Declaratory And Injunctive Relief</i> by Clare E. Connors, Al Cummings. (Attachments: # <a href="#">1</a> Certificate of Service)(Akamine, Ryan) (Entered: 05/28/2019)
06/06/2019	<a href="#">18</a>	Scheduling Conference Statement <i>Defendants Clare E. Connors and Al Cummings, In Their Official Capacities</i> . (Attachments: # <a href="#">1</a> Certificate of Service)(Akamine, Ryan) (Entered: 06/06/2019)
06/14/2019	<a href="#">19</a>	EP: Rule 16 Scheduling Conference held on 6/14/2019. Rule 16 Scheduling Conference Order to be issued. Non-Jury Trial is set for 6/16/2020 at 09:00 AM before JUDGE ALAN C. KAY. Final Pretrial Conference is set for 5/6/2020 at 10:00 AM in Chambers of Magistrate Judge Wes Reber Porter before MAGISTRATE JUDGE WES REBER PORTER. Settlement Conference is set for 2/26/2020 at 10:00 AM in Chambers of Magistrate Judge Wes Reber Porter before MAGISTRATE JUDGE WES REBER PORTER. Settlement Conference statements by 2/19/2020. Dispositive Motions filed by 1/15/2020. Discovery due by 4/17/2020. (Court Reporter In chambers - not reported. 9:35 a.m. 9:50 a.m.) (MAGISTRATE JUDGE WES REBER PORTER)(mrf) (Entered: 06/14/2019)

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06/14/2019	<a href="#">20</a>	CERTIFICATE OF SERVICE by James Grell, Andrew Teter <i>Plaintiffs' Initial Disclosures</i> (Stamboulieh, Stephen) (Entered: 06/14/2019)
06/14/2019	<a href="#">21</a>	CERTIFICATE OF SERVICE by James Grell, Andrew Teter <i>Plaintiffs' First Set of Interrogatories</i> (Stamboulieh, Stephen) (Entered: 06/14/2019)
06/14/2019	<a href="#">22</a>	CERTIFICATE OF SERVICE by James Grell, Andrew Teter <i>Plaintiffs' First Set of Requests for Admissions</i> (Stamboulieh, Stephen) (Entered: 06/14/2019)
06/14/2019	<a href="#">23</a>	CERTIFICATE OF SERVICE by James Grell, Andrew Teter <i>Plaintiffs' Requests for Production of Documents</i> (Stamboulieh, Stephen) (Entered: 06/14/2019)
06/14/2019	<a href="#">24</a>	RULE 16 SCHEDULING ORDER - Signed by MAGISTRATE JUDGE WES REBER PORTER on 6/14/2019. (jo) (Entered: 06/14/2019)
06/14/2019	<a href="#">25</a>	ORDER SETTING SETTLEMENT CONFERENCE - Signed by MAGISTRATE JUDGE WES REBER PORTER on 6/14/2019. Pursuant to LR 16.5(b), all parties to this matter are hereby ORDERED TO APPEAR for a settlement conference, beginning in chambers, on February 26, 2020, at 10:00 a.m. (jo) (Entered: 06/14/2019)
07/29/2019	<a href="#">26</a>	CERTIFICATE OF SERVICE by Clare E. Connors, Al Cummings <i>In Their Official Capacities, Response To Plaintiffs' First Set Of Request For Admissions</i> ] (Akamine, Ryan) (Entered: 07/29/2019)
07/29/2019	<a href="#">27</a>	CERTIFICATE OF SERVICE by Clare E. Connors, Al Cummings <i>In Their Official Capacities, Response To Plaintiffs' First Set Of Interrogatories To Defendants</i> (Akamine, Ryan) (Entered: 07/29/2019)
07/29/2019	<a href="#">28</a>	CERTIFICATE OF SERVICE by Clare E. Connors, Al Cummings <i>In Their Official Capacities, Response To Plaintiffs' First Set Of Request [sic] For Production Of Documents</i> (Akamine, Ryan) (Entered: 07/29/2019)
08/02/2019	<a href="#">29</a>	CERTIFICATE OF SERVICE by Clare E. Connors, Al Cummings <i>[Re: Defendants Clare E. Connors and Al Cummings', In Their Official Capacities, Rule 26 Initial Disclosures]</i> (Akamine, Ryan) (Entered: 08/02/2019)
09/30/2019	<a href="#">30</a>	CERTIFICATE OF SERVICE by James Grell, Andrew Teter <i>Notice of Deposition to Al Cummings</i> (Stamboulieh, Stephen) (Entered: 09/30/2019)
09/30/2019	<a href="#">31</a>	CERTIFICATE OF SERVICE by James Grell, Andrew Teter <i>Notice of Deposition to Clare E. Connors</i> (Stamboulieh, Stephen) (Entered: 09/30/2019)
12/09/2019	<a href="#">32</a>	CERTIFICATE OF SERVICE by James Grell, Andrew Teter <i>Plaintiffs' Designation of Expert Witnesses</i> (Stamboulieh, Stephen) (Entered: 12/09/2019)
01/14/2020	<a href="#">33</a>	MOTION for Summary Judgment Stephen D. Stamboulieh appearing for Plaintiffs James Grell, Andrew Teter (Attachments: # <a href="#">1</a> Memorandum <a href="#">In Support of Motion</a> , # <a href="#">2</a> Certificate of Service)(Stamboulieh, Stephen) Docket Text Modified on 1/14/2020 (jo) (Entered: 01/14/2020)
01/14/2020	<a href="#">34</a>	CONCISE STATEMENT of Facts re <a href="#">33</a> MOTION for Summary Judgment filed by James Grell, Andrew Teter. (Attachments: # <a href="#">1</a> Declaration of Counsel, # <a href="#">2</a> Exhibit A

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		Teter Declaration, # <a href="#">3</a> Exhibit B Grell Declaration, # <a href="#">4</a> Exhibit C Burton Declaration, # <a href="#">5</a> Exhibit D Burton Report, # <a href="#">6</a> Exhibit E Deposition of Robin Nagamine, # <a href="#">7</a> Certificate of Service)(Stamboulieh, Stephen) Docket Text Modified on 1/14/2020 (jo) (Entered: 01/14/2020)
01/14/2020	<a href="#">35</a>	NOTICE of Hearing on Motion <a href="#">33</a> MOTION for Summary Judgment . The Motion Hearing is scheduled for Tuesday, April 7, 2020 at 11:00 AM before JUDGE ALAN C. KAY. (il, ) (Entered: 01/14/2020)
01/15/2020	<a href="#">36</a>	MOTION for Summary Judgment Ryan M. Akamine appearing for Defendants Clare E. Connors, Al Cummings (Attachments: # <a href="#">1</a> Memorandum, # <a href="#">2</a> Certificate of Service) (Akamine, Ryan) (Entered: 01/15/2020)
01/15/2020	<a href="#">37</a>	CONCISE STATEMENT of Facts re <a href="#">36</a> MOTION for Summary Judgment filed by Clare E. Connors, Al Cummings. (Attachments: # <a href="#">1</a> Declaration of Ryan M. Akamine, # <a href="#">2</a> Exhibit A, # <a href="#">3</a> Exhibit B, # <a href="#">4</a> Exhibit C, # <a href="#">5</a> Exhibit D, # <a href="#">6</a> Exhibit E, # <a href="#">7</a> Exhibit F, # <a href="#">8</a> Exhibit G, # <a href="#">9</a> Exhibit H, # <a href="#">10</a> Exhibit I, # <a href="#">11</a> Certificate of Service)(Akamine, Ryan) (Entered: 01/15/2020)
01/15/2020	<a href="#">38</a>	First MOTION for Leave to File <i>amicus brief of Hawaii Firearms Coalition</i> Kevin G. O'Grady appearing for Amicus Hawaii Firearms Coalition (Attachments: # <a href="#">1</a> Memorandum, # <a href="#">2</a> Exhibit A Declaration of Kevin O'Grady, # <a href="#">3</a> Exhibit B amicus brief, # <a href="#">4</a> Certificate of Service)(O'Grady, Kevin) Docket Text Modified on 1/16/2020 (jo) (Entered: 01/15/2020)
01/16/2020	<a href="#">39</a>	NOTICE of Hearing on Motions <a href="#">33</a> MOTION for Summary Judgment and <a href="#">36</a> MOTION for Summary Judgment are both scheduled for Tuesday, April 28, 2020 at 11:00 AM before JUDGE ALAN C. KAY. The original motion hearing date of 4/7/2020 is now canceled, both motions shall be heard on the 4/28/2020 date. (il, ) (Entered: 01/16/2020)
01/17/2020	<a href="#">40</a>	EO: The Court has reviewed Hawaii Firearms Coalition's Motion for Leave to File Amicus Curiae Brief, <i>see</i> ECF No. <a href="#">38</a> , including the declaration of counsel stating that both Plaintiffs and Defendants in this action consent to filing of the brief, and GRANTS leave to file the brief submitted as Exhibit B to the Motion. (MAGISTRATE JUDGE WES REBER PORTER) (agh) (Entered: 01/17/2020)
01/22/2020	<a href="#">41</a>	NOTICE of Appearance by Wendy F. Hanakahi on behalf of Everytown for Gun Safety Support Fund. (Hanakahi, Wendy) (Entered: 01/22/2020)
01/22/2020	<a href="#">42</a>	NOTICE of Appearance by Pamela W. Bunn on behalf of Everytown for Gun Safety Support Fund. (Bunn, Pamela) (Entered: 01/22/2020)
01/22/2020	<a href="#">43</a>	Corporate Disclosure Statement by Everytown for Gun Safety Support Fund. (Hanakahi, Wendy) (Entered: 01/22/2020)
01/22/2020	<a href="#">44</a>	MOTION for Leave to File <i>Brief of Everytown for Gun Safety Support Fund as Amicus Curiae</i> Wendy F. Hanakahi appearing for Amicus Everytown for Gun Safety Support Fund (Attachments: # <a href="#">1</a> Exhibit A)(Hanakahi, Wendy) (Entered: 01/22/2020)
01/22/2020	<a href="#">45</a>	First Brief of <i>Amicus Hawaii Firearms Coalition</i> . (Attachments: # <a href="#">1</a> Certificate of Service)(O'Grady, Kevin) (Entered: 01/22/2020)



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01/23/2020	<a href="#">46</a>	EO: The Court is in receipt of the Motion for Leave to File Brief of Everytown for Gun Safety Support Fund as Amicus Curiae, ECF No. <a href="#">44</a> . The Motion represents that all parties have consented to the filing of the aforementioned Amicus Brief, and the Court GRANTS leave to file the brief submitted as Exhibit A to the Motion.  SO ORDERED by (JUDGE ALAN C. KAY) (il, ) (Entered: 01/23/2020)
01/23/2020	<a href="#">47</a>	Brief re <a href="#">46</a> Order on Motion for Leave to File,, Link, <a href="#">44</a> MOTION for Leave to File <i>Brief of Everytown for Gun Safety Support Fund as Amicus Curiae Brief of Everytown For Gun Safety Support Fund as Amicus Curiae</i> . (Hanakahi, Wendy) (Entered: 01/23/2020)
02/04/2020	<a href="#">48</a>	Letter from counsel requesting that the settlement conference set for 2/26/2020 be vacated (agh) (Entered: 02/04/2020)
02/04/2020	49	EO: The Court grants the parties' joint request to vacate the Settlement Conference set for 2/26/2020. See ECF No. <a href="#">48</a> . The Court may reschedule the Settlement Conference as appropriate and encourages the parties to contact the Court at any time if settlement discussions would be productive. (MAGISTRATE JUDGE WES REBER PORTER) (agh) (Entered: 02/04/2020)
03/30/2020	<a href="#">50</a>	CONCISE STATEMENT in Opposition re <a href="#">36</a> MOTION for Summary Judgment filed by James Grell, Andrew Teter. (Attachments: # <a href="#">1</a> Certificate of Service)(Stamboulieh, Stephen) (Entered: 03/30/2020)
03/30/2020	<a href="#">51</a>	RESPONSE in Opposition re <a href="#">36</a> MOTION for Summary Judgment filed by James Grell, Andrew Teter. (Attachments: # <a href="#">1</a> Memorandum Memorandum in Opposition, # <a href="#">2</a> Certificate of Service Certificate of Service)(Stamboulieh, Stephen) (Entered: 03/30/2020)
04/07/2020	<a href="#">52</a>	MEMORANDUM in Opposition re <a href="#">33</a> MOTION for Summary Judgment filed by Clare E. Connors, Al Cummings. (Attachments: # <a href="#">1</a> Certificate of Service)(Akamine, Ryan) (Entered: 04/07/2020)
04/07/2020	<a href="#">53</a>	CONCISE STATEMENT in Opposition re <a href="#">33</a> MOTION for Summary Judgment filed by Clare E. Connors, Al Cummings. (Attachments: # <a href="#">1</a> Declaration of Ryan M. Akamine, # <a href="#">2</a> Exhibit A, # <a href="#">3</a> Exhibit B, # <a href="#">4</a> Exhibit C, # <a href="#">5</a> Exhibit D, # <a href="#">6</a> Exhibit E, # <a href="#">7</a> Exhibit F, # <a href="#">8</a> Exhibit G, # <a href="#">9</a> Exhibit H, # <a href="#">10</a> Exhibit I, # <a href="#">11</a> Certificate of Service) (Akamine, Ryan) (Entered: 04/07/2020)
04/10/2020	54	EO: Pursuant to the March 23, 2020 issuance of a Temporary General Order Regarding District of Hawaii Response to Covid-19 Emergency, the Motion Hearing scheduled on April 28, 2020 at 11:00 AM will be held telephonically using the AT&T Connect Audio Conference.  The Parties are directed to follow the dialing instructions below as well as anyone who wishes to participate in this public hearing.  Participant dialing instructions: 1. Dial (888) 684-8852 2. Enter Access Code (9657219) when prompted followed by the pound(#) sign 3. No Participant/Security Code is needed

		4. You will be connected  SO ORDERED by (JUDGE ALAN C. KAY) (il, ) (Entered: 04/10/2020)
04/10/2020	55	EO: The Final Pretrial Conference set for May 6, 2020 is CONTINUED to May 12, 2020 at 10:00 AM before MAGISTRATE JUDGE WES REBER PORTER. The Final Pretrial Conference will be held by telephone. The Court will be using AT&T Connect Audio Conference at 1-888-278-0296 / Access Code: 8224751. (MAGISTRATE JUDGE WES REBER PORTER)(mrf) (Entered: 04/10/2020)
04/13/2020	<a href="#">56</a>	Joint MOTION to Continue <i>Pretrial and Trial Deadlines</i> Stephen D. Stamboulieh appearing for Plaintiffs James Grell, Andrew Teter (Attachments: # <a href="#">1</a> Certificate of Service)(Stamboulieh, Stephen) (Entered: 04/13/2020)
04/14/2020	<a href="#">57</a>	RESPONSE in Support re <a href="#">36</a> MOTION for Summary Judgment filed by Clare E. Connors, Al Cummings. (Attachments: # <a href="#">1</a> Certificate of Service)(Akamine, Ryan) (Entered: 04/14/2020)
04/14/2020	<a href="#">58</a>	REPLY to Response to Motion re <a href="#">33</a> MOTION for Summary Judgment filed by James Grell, Andrew Teter. (Attachments: # <a href="#">1</a> Certificate of Service)(Stamboulieh, Stephen) (Entered: 04/14/2020)
04/15/2020	59	EO: The Court GRANTS the parties' Joint Motion to Suspend Pretrial and Trial Deadlines, ECF No. <a href="#">56</a> . The trial date, final pretrial conference date, and all trial-related deadlines are vacated and will be reset following the court's decision on the pending motions for summary judgment. A Telephonic Status Conference before Magistrate Judge Wes Reber Porter is set for 6/18/2020 at 9:30 AM via AT&T Connect Audio Conference at 1-888-278-0296 / Access Code: 8224751. No later than 6/12/2020, the parties shall file a Status Report. (MAGISTRATE JUDGE WES REBER PORTER)(mrf) (Entered: 04/15/2020)
04/28/2020	<a href="#">60</a>	EP: Motion Hearing held regarding Plaintiffs' Motion for Summary Judgment <a href="#">33</a> and Defendants' Motion for Summary Judgment <a href="#">36</a> .  Amicus Attorney Wendy F. Hanakahi, Esq. representing Everytown for Gun Safety Support Fund present. Amicus Attorney Kevin G. O'Grady, Esq. representing Hawaii Firearms Coalition present.  Arguments were heard.  Both the Plaintiffs' Motion for Summary Judgment <a href="#">33</a> and Defendants' Motion for Summary Judgment <a href="#">36</a> is taken under advisement.  Court to prepare a written order.  (Court Reporter Ann Matsumoto.) (JUDGE ALAN C. KAY) (il, ) (Entered: 04/28/2020)
05/13/2020	<a href="#">61</a>	ORDER DENYING PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT AND GRANTING THE STATE'S MOTION FOR SUMMARY JUDGMENT, re ECF <a href="#">33</a> Plaintiffs' Motion, and ECF <a href="#">36</a> State's Motion - Signed by JUDGE ALAN C. KAY on



		<p>5/13/2020.</p> <p>For the foregoing reasons, the Court holds that HRS § 134-53(a) is not an unconstitutional restriction on the right to bear arms under the Second Amendment. To summarize the Court's ruling: (1) butterfly knives are bearable arms that trigger Second Amendment protections; (2) the Court assumes without deciding that butterfly knives are commonly used by law-abiding citizens for lawful purposes and therefore fall within the historical scope of the Second Amendment; (3) the ban on butterfly knives is not per se unconstitutional under Heller; (4) because the ban implicates the core right under the Second Amendment but does not severely burden that right, intermediate scrutiny applies; and (5) the statute survives intermediate scrutiny because it furthers the State's important interest to promote public safety by reducing access to butterfly knives, which leads to gang-related crime.</p> <p>While recognizing that Heller does not cleanly resolve all the constitutional questions at play here, this analysis is faithful to Heller. The Court hereby DENIES Plaintiffs' Motion for Summary Judgment and GRANTS the State's Motion for Summary Judgment.</p> <p>(jni) (Entered: 05/13/2020)</p>
05/13/2020	62	<p>EO: Based on <a href="#">61</a> ORDER DENYING PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT AND GRANTING THE STATE'S MOTION FOR SUMMARY JUDGMENT, the Telephonic Status Conference set for 6/18/2020 at 9:30 AM before MAGISTRATE JUDGE WES REBER PORTER is VACATED.</p> <p>(MAGISTRATE JUDGE WES REBER PORTER)(mrf) (Entered: 05/13/2020)</p>
05/13/2020	<a href="#">63</a>	<p>JUDGMENT IN A CIVIL CASE entered on 5/13/2020 in favor of Clare E. Connors and Al Cummings, against Andrew Teter and James Grell, pursuant to ECF <a href="#">61</a> ORDER DENYING PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT AND GRANTING THE STATE'S MOTION FOR SUMMARY JUDGMENT.(jni) (Entered: 05/13/2020)</p>
05/13/2020	<a href="#">64</a>	<p><b>NOTICE OF APPEAL</b> as to <a href="#">63</a> Clerk's Judgment, <a href="#">61</a> Order on Motion for Summary Judgment,,,,,,,,, by James Grell, Andrew Teter. Filing fee \$ 505, receipt number 0975-2371142. (Stamboulieh, Stephen) <b>USCA NO. 20-15948</b> Modified on 5/19/2020 (jni) (Entered: 05/13/2020)</p>
05/19/2020	<a href="#">65</a>	<p>USCA Case Number 20-15948 for <a href="#">64</a> Notice of Appeal, filed by Andrew Teter, James Grell. (jni) (Entered: 05/19/2020)</p>
05/19/2020	<a href="#">66</a>	<p>USCA Time Schedule Order as to <a href="#">64</a> Notice of Appeal, filed by Andrew Teter, James Grell; USCA NO. 20-15948 (Attachments: # <a href="#">1</a> Notice to all Parties and Counsel, # <a href="#">2</a> Mediation Letter)(jni) (Entered: 05/19/2020)</p>

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